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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/619,332	07/14/2003	Chuanxiong Guo	222387	6663

22801 7590 04/12/2007
LEE & HAYES PLLC
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EXAMINER

BAROT, BHARAT

ART UNIT	PAPER NUMBER
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2155

SHORTENED STATUTORY PERIOD OF RESPONSE	NOTIFICATION DATE	DELIVERY MODE
3 MONTHS	04/12/2007	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Notice of this Office communication was sent electronically on the above-indicated "Notification Date" and has a shortened statutory period for reply of 3 MONTHS from 04/12/2007.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

lhptoms@leehayes.com

Office Action Summary

Application No.

10/619,332

Applicant(s)

GUO ET AL.

Examiner

Bharat N. Barot

Art Unit

2155

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 July 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☐ Claim(s) _____ is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|-------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>7/14/03 & 10/18/06</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1-24 presented for further examination.

Specification

2. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

Claim Rejections - 35 USC § 101

3. 35 U.S.C. § 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

4. Claims 1-16 are rejected 35 U.S.C. § 101 because the claimed invention is directed to non-statutory subject matter. Claims 1 and 9 recite a computer readable medium having thereon computer executable instructions for performing a method. A computer program (instructions) is not claimed as tangibly embodied in computer readable media and execute in a computer or by a computer are descriptive material per se and are not statutory because they are not capable of causing functional change in the computer and lacking assured results, and therefore is not concrete. (See MPEP section 2106, Seventh Edition, Revision No. 1 dated February 2000, at page 2100-10 and 2100-11).

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 1-24 are rejected under 35 U.S.C. 102(b) as being anticipated by Bracho et al (U.S. Patent No. 6,021,443). Bracho's patent meets all the limitations for claims 1-24 recited in the claimed invention.

7. As to claim 1, Bracho et al teach a method (see abstract) comprising: receiving at least one event subscription from at least event subscriber; receiving at least one event publication from at least one event publisher; and for each event publication matching a event subscription, notifying the event subscriber of the matching published event (figures 1 and 12; column 4 line 34 to column 5 line 62; and column 15 lines 1-42). Event is well known and inherent in the art at the time the invention was made as a network attachment point change event (figure 10; and column 12 lines 45-55).

8. As to claims 2-3, Bracho et al teach that each event publication comprises: identification of an original network attachment point; and identification of a current network attachment point different from the original network attachment point (figures 5-

7; and column 10 line 18 to column 12 line 39). Identification of a network attachment point is well known and inherent in the art at the time the invention was made as an Internet protocol (IP) address (column 5 lines 9-12).

9. As to claim 4, Bracho et al teach that each event subscription comprises identification of a network attachment point that has attached a communications peer with which the event subscriber has at least one active communication connection (figure 1; and column 5 lines 35-51).

10. As to claim 5, Bracho et al teach that the at least one event publication comprises: a first event publication from a first event publisher; a second event publication from a second event publisher; and matching the first event to each event subscription comprises: determining that the event subscription was placed by the second event publisher; and determining that the second event occurred within a time interval of the first event (figures 7-9 and 12; and column 14 line 21 to column 15 line 64).

11. As to claims 6-7, Bracho et al teach that matching the event to the event subscription comprises determining that the event subscription was placed by a subscriber with a private network address (reference teaches that subscriber within same hub with publisher); and for each event subscriber, determining if the event subscriber has a private network address (reference teaches that subscriber not within

same hub with publisher; therefore, subscriber has a private network address) (figures 1 and 7-8; and column 4 line 34 to column 5 line 62).

12. As to claim 8, Bracho et al teach that each event subscription comprises a event subscriber notification address (ID); and determining if the event subscriber has a private network address (reference teaches that subscriber not within same hub with publisher; therefore, subscriber has a private network address) comprises determining if the event subscriber notification address is in accord with the public source of the event subscription (reference teaches that subscriber within same hub with publisher) (figures 1, 7-8, and 11-12; column 4 line 34 to column 5 line 62; and column 13 line 58 to column 15 line 64).

13. As to claims 9-24, they are also rejected for the same reasons set forth to rejecting claims 1-8 above, since claims 9-16 do not teach or define any new limitations above claims 1-9 and claims 17-24 are merely an apparatus for performing the method of operations defined in the claims 1-9.

Additional References

14. The examiner as of general interest cites the following references.

- a. Rosenblum, U.S. Patent No. 7,117,270.
- b. Banavar et al, U.S. Patent No. 7,050,432.

Contact Information

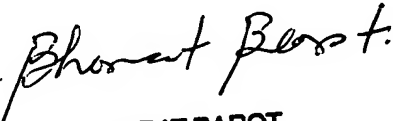
15. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Bharat Barot** whose Telephone Number is **(571) 272-3979**. The examiner can normally be reached on Monday-Friday from 9:30 AM to 6:00 PM. Most facsimile-transmitted patent application related correspondence is required to be sent to the Central FAX Number **(571) 273-8300**.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Saleh Najjar**, can be reached at **(571) 272-4006**.

Patent Examiner Bharat Barot

Art Unit 2155

March 27, 2007


BHARAT BAROT
PRIMARY EXAMINER